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10/587,931

08/02/2006

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EXAMINER

MAPA, MICHAEL Y

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2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/587,931	Applicant(s) STEIN ET AL.	
	Examiner Michael Mapa	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/02/06 has been considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 46 is rejected under 35 U.S.C. 102(b) as being anticipated by Raffel et al. (US Patent Publication 2003/0069014 herein after referenced as Raffel).

Regarding claim 46, Raffel discloses “A system operative to support a communication session in a combined network” (Paragraph [0053] of Raffel, wherein Raffel discloses automatically switching from the cordless base station and its associated landline to the cellular network when the mobile station moves to an area outside the cordless base station). Raffel disclose “the system comprising at least one access device according to Claim 41” (The examiner rejects uses the same argument as provided above to reject this limitation (see claim 41)). Raffel discloses “at least one

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non-mobile communications network connected to said access device and comprising at least one non-mobile communications device” (Paragraph [0147] of Raffel, wherein Raffel discloses a cordless base station and any extensions associated with the landline number). Raffel discloses “and at least one mobile communications network associated with at least one mobile communication device and having a controller of the mobile network connected to said access device and operative to establish digital communication with said access device” (Paragraph [0070] of Raffel, wherein Raffel discloses the call being maintained by automatically forwarding the call through the regional cellular network when the mobile station is no longer in range of the cordless cellular network and wherein the cordless base station automatically sends a message to the regional cellular network to cancel the call forwarding addressed to the mobile station number).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27-34 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raffel et al. (US Patent Publication 2003/0069014 herein after

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referenced as Raffel) in view of Hjern et al. (US Patent 5873033 herein after referenced as Hjern).

Regarding claim 27, Raffel discloses "A method of supporting an incoming/outgoing mobile communication session in a combined communications network comprising a mobile network and a non-mobile access network" (Paragraph [0053] of Raffel, wherein Raffel discloses automatically switching from the cordless base station and its associated landline to the cellular network when the mobile station moves to an area outside the cordless base station). Raffel discloses "in said mobile network, said mobile communication session is associated with a mobile number" (Paragraph [0012] of Raffel, wherein Raffel discloses calls to the user's mobile identification number are directly routed by the cellular network). Raffel discloses "associating, in the non-mobile access network, said mobile number with a non-mobile device of said non-mobile network" (Paragraph [0010] of Raffel, wherein Raffel discloses the cellular network routing all calls to the mobile stations mobile identification number to the landline number associated with the cordless cellular base station). Raffel discloses "providing an access device in the non-mobile access network, being in communication with a controller of a mobile network" (Paragraph [0011] of Raffel). Raffel discloses "providing an access device in the non-mobile access network, being in communication with a plurality of non-mobile devices" (Paragraph [0147] of Raffel, wherein Raffel discloses a cordless base station and all the extensions connected to the landline). Raffel discloses "operative to represent said non-mobile device of said

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plurality of non- mobile devices as having said mobile number;" (Paragraph [0137] of Raffel). Raffel discloses "selectively conducting said mobile communication session either through a mobile device associated with said mobile number in the mobile network, or through the non-mobile device associated with said mobile number in the non-mobile network." (Paragraph [0053] of Raffel, wherein Raffel discloses a call being initiated via the cordless base station and the mobile station moves to an area outside the range of the cordless base station wherein the call is automatically switched through the cordless base station and its associated landline to the cellular network).

Raffel discloses a non-mobile device of the cordless base station but fails to explicitly disclose "wherein said non-mobile device being either a DECT- like device"

In a related field of endeavor Hjern discloses a method and arrangement for transfer between a cordless system and a cellular mobile system and further discloses DECT to be a system specified within the ETSI for cordless telecommunication (Column 3, Lines 44-48 of Hjern).

Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the invention of Raffel to incorporate the teachings of a DECT system for the purpose of conforming to a known standard which combines high system capacity within traffic-intensive areas and good quality for both speech and data services (Column 3, Lines 65-66 of Hjern).

Regarding claim 28, Raffel in view of Hjern discloses "The method according to Claim 27, further comprising providing the access device with a capability to at least partially perform functions of a base station associated with the mobile network with

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respect to at least said mobile number of said mobile network, so that the access device is recognized by the controller of the mobile network as another base station.”

(Paragraph [0007] of Raffel, wherein Raffel discloses the cordless base station to register with the cellular network before operation is enabled and the cordless base station enables registration of mobile stations when the mobile stations come within proximity of the cordless base station).

Regarding claim 29, Raffel in view of Hjern discloses “The method according to Claim 28, further comprising setting defaults at said access device, for routing of communication sessions.” (Paragraph [0070] of Raffel, wherein Raffel discloses the cordless base station to automatically send a message to the regional cellular network to cancel the call forwarding of phone calls addressed to the mobile station when the mobile station moves out of range of the cordless base station).

Regarding claim 30, Raffel in view of Hjern discloses “The method according to Claim 27, further comprising providing the controller of the mobile network with a capability of giving preference to routing the mobile communication session to said non-mobile device via said access device” (Paragraph [0011] of Raffel).

Regarding claim 31, Raffel in view of Hjern discloses “The method according to Claim 27, comprising storing the mobile number in the access device with indicating association of said mobile number with the non-mobile device of said non-mobile network.” (Paragraph [0008] of Raffel, wherein Raffel discloses the cordless base station to maintain a registration list and stores the mobile system identification number and the states of the mobile station with respect to the cordless base station).

Regarding claim 32, Raffel in view of Hjern discloses “The method according to Claim 27, wherein said mobile telephone number is a single number to both said mobile device and said non-mobile device” (Paragraph [0137] of Raffel, wherein Raffel discloses the cellular network routing all calls for the mobile state identification number to the landline number associated with the cordless base station).

Regarding claim 33, Raffel in view of Hjern discloses “The method according to Claim 27, wherein the mobile device has the mobile number and the non-mobile device has a non-mobile number assigned in the access device” (Paragraph [0005] of Raffel, wherein Raffel discloses the cordless base station to have a landline number and the mobile station to have a mobile identification number).

Regarding claim 34, Raffel in view of Hjern discloses “The method according to Claim 27, comprising a step of transferring said communication session in progress from the non-mobile device to the mobile device,” (Paragraph [0070] of Raffel, wherein Raffel discloses the call being maintained, by automatically forwarding the call to the mobile station through the regional cellular network when the mobile station moves out of range of the cordless base station).

Raffel fails to explicitly disclose “and vice versa”, However the examiner maintains that it would have been obvious to one of ordinary skill in the art for the method taught by Raffel of the call being maintained as the mobile station moves outside of a cordless base station area to the cellular network to incorporate and apply the method to when the mobile station moves from the cellular network into the cordless base station area for the purpose of creating a more versatile system.

Regarding claim 41, Raffel discloses “An access device of a non-mobile access network, for serving in a combined communications network comprising a said non-mobile network and a mobile network” (Paragraph [0053] of Raffel, wherein Raffel discloses automatically switching from the cordless base station and its associated landline to the cellular network when the mobile station moves to an area outside the cordless base station). Raffel discloses “wherein the access device being adapted to communicate with a controller of a mobile network” (Paragraph [0011] of Raffel). Raffel discloses “wherein the access device being adapted to communicate with at least a plurality of non-mobile devices of the non- mobile network” (Paragraph [0147] of Raffel, wherein Raffel discloses a cordless base station and all the extensions connected to the landline). Raffel discloses “and wherein the access device being operative to represent at least one non-mobile device of said plurality of non-mobile devices as having a mobile number of the mobile network” (Paragraph [0137] of Raffel). Raffel discloses “wherein the access device is capable of performing, at least partially, functions of a base station of the mobile network for at least said mobile number of said mobile network” (Paragraph [0007] of Raffel, wherein Raffel discloses the cordless base station to register with the cellular network before operation is enabled and the cordless base station enables registration of mobile stations when the mobile stations come within proximity of the cordless base station). Raffel discloses “by providing an option to conduct a mobile communications session, associated in said mobile network with said mobile number, through said non-mobile device” (Paragraph [0011] of Raffel).

Raffel discloses a cordless base station but fails to explicitly recite “being a DECT-like network”.

In a related field of endeavor Hjern discloses a method and arrangement for transfer between a cordless system and a cellular mobile system and further discloses DECT to be a system specified within the ETSI for cordless telecommunication (Column 3, Lines 44-48 of Hjern)

Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the invention of Raffel to incorporate the teachings of a DECT system for the purpose of conforming to a known standard which combines high system capacity within traffic-intensive areas and good quality for both speech and data services (Column 3, Lines 65-66 of Hjern).

Regarding claim 42, Raffel in view of Hjern discloses “The access device according to Claim 41, wherein the mobile number belonging to said mobile network is stored in said access device as a number that is associated with a non- mobile device connected to said non-mobile network.” (Paragraph [0008] of Raffel, wherein Raffel discloses the cordless base station to maintain a registration list and stores the mobile system identification number and the states of the mobile station with respect to the cordless base station).

Regarding claim 43, Raffel in view of Hjern discloses “The access device according to claim 42, allowing said mobile communication session, being initially conducted through either said non-mobile device or a mobile device associated with said stored mobile number, to be continued by selectively using the other of said mobile

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device or said non- mobile device” (Paragraph [0070] of Raffel, wherein Raffel discloses the call is maintained by automatically forwarding the call to the mobile station through the regional cellular network when the mobile station moves out of range of the cordless base station).

Regarding claim 44, Raffel in view of Hjern discloses “The access device according to claim 41, being connectable with said non-mobile access network and with a controller of said mobile network to enable digital communication” (Paragraph [0011] & Paragraph [0147] of Raffel). Raffel in view of Hjern discloses “being capable of converting communication protocols from at least one protocol used in said mobile network to at least one protocol used in said non-mobile network and vice versa” (Paragraph [0070] of Raffel, wherein Raffel discloses the mobile communications being maintained automatically as the mobile station moves from the cordless base station to a cellular network, therefore from a DECT system to a cellular mobile system. The examiner also maintains the same argument provided above to reject this limitation (see claim 34)). Raffel in view of Hjern discloses “being provided with a functional unit performing, functions similar to that of a base station of said mobile network” (Paragraph [0057] of Raffel, wherein Raffel discloses the cordless base station to have similar functionalities as that of a base station for a regular cell). Raffel in view of Hjern discloses “enabling storing at the access device at least one said mobile number assigned to a mobile device, in association with at least one said non-mobile device” (Paragraph [0008] of Raffel, wherein Raffel discloses the cordless base station to maintain a registration list and stores the mobile system identification number and the

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states of the mobile station with respect to the cordless base station). Raffel in view of Hjern discloses “monitoring and processing signaling sessions and communications sessions associated with said mobile telephone number” (Paragraph [0137] of Raffel, wherein Raffel discloses all calls for the mobile station identification number of the mobile station being routed to the landline number associated with the cordless base station).

6. Claims 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raffel et al. (US Patent Publication 2003/0069014 herein after referenced as Raffel).

Regarding claim 35, Raffel discloses “A method of supporting a mobile communication session in a combined network comprising a mobile network and a non-mobile network,” (Paragraph [0053] of Raffel). Raffel discloses “the method comprising re-routing, during said communication session, from a mobile device associated with the mobile communications network to a non-mobile device associated with the non-mobile communications network,” (Paragraph [0070] of Raffel, wherein Raffel discloses the call being maintained, by automatically forwarding the call to the mobile station through the regional cellular network when the mobile station moves out of range of the cordless base station).

Raffel fails to explicitly disclose “wherein said mobile device and said non-mobile device are two separate devices.” However, Raffel discloses a second mobile station in standby mode can be added to the call in progress. Therefore, it would have been

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obvious to one of ordinary skill in the art to modify the invention of Raffel to incorporate the mobile device and non-mobile device into two separate devices for the purpose of conserving the power on the mobile device that is already in use by using the standby mobile station which has not been used instead.

Regarding claim 36, Raffel discloses “The method according to Claim 35, wherein the step of rerouting is preceded by obtaining a suggestion to reroute the communication session” (Paragraph [0070] of Raffel, wherein Raffel discloses the mobile station automatically registering with the regional cellular network to accept calls in the traditional cellular service manner when it is no longer in range of the cordless cellular network).

Regarding claim 37, Raffel discloses “A method of supporting a mobile communication session in a combined communications network comprising a mobile network and a non-mobile access network” (Paragraph [0053] of Raffel, wherein Raffel discloses automatically switching from the cordless base station and its associated landline to the cellular network when the mobile station moves to an area outside the cordless base station). Raffel discloses “in said mobile network, said mobile communication session is associated with a mobile number” (Paragraph [0012] of Raffel, wherein Raffel discloses calls to the user’s mobile identification number are directly routed by the cellular network). Raffel discloses “associating, in the non-mobile access network, said mobile number with a non-mobile device of said non-mobile network” (Paragraph [0010] of Raffel, wherein Raffel discloses the cellular network routing all calls to the mobile stations mobile identification number to the landline

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number associated with the cordless cellular base station). Raffel discloses “providing an access device in the non-mobile access network, being in communication with a controller of a mobile network” (Paragraph [0011] of Raffel). Raffel discloses “providing an access device in the non-mobile access network, being in communication with a plurality of non-mobile devices” (Paragraph [0147] of Raffel, wherein Raffel discloses a cordless base station and all the extensions connected to the landline). Raffel discloses “operative to represent said non-mobile device of said plurality of non-mobile devices as having said mobile number;” (Paragraph [0137] of Raffel). Raffel discloses “selectively conducting said mobile communication session either through a mobile device associated with said mobile number in the mobile network, or through the non-mobile device associated with said mobile number in the non-mobile network.” (Paragraph [0053] of Raffel, wherein Raffel discloses a call being initiated via the cordless base station and the mobile station moves to an area outside the range of the cordless base station wherein the call is automatically switched through the cordless base station and its associated landline to the cellular network). Raffel discloses “the method comprising a step of transferring said communication session in progress from the non-mobile device to the mobile device; the method further comprising a step of determining proximity of the mobile device to the non-mobile device” (Paragraph [0070] of Raffel, wherein Raffel discloses the call being maintained, by automatically forwarding the call to the mobile station through the regional cellular network when the mobile station moves out of range of the cordless base station).

Raffel fails to explicitly disclose “and vice versa”, However the examiner maintains that it would have been obvious to one of ordinary skill in the art for the method taught by Raffel of the call being maintained as the mobile station moves outside of a cordless base station area to the cellular network to incorporate and apply the method to when the mobile station moves from the cellular network into the cordless base station area for the purpose of creating a more versatile system.

Regarding claim 38, Raffel discloses “The method according to Claim 36, wherein the suggestion of rerouting is applied from the device presently not engaged with the communication session.” (Paragraph [0070] of Raffel, wherein Raffel discloses the cordless base station automatically sending a message to the cellular network to cancel the call forwarding of phone calls addressed to the mobile station identification number when the mobile station moves out of range of the cordless base station).

Regarding claim 39, Raffel discloses “The method according to Claim 36, wherein the step of obtaining the suggestion of rerouting is performed non-automatically and initiated by a user” (Paragraph [0054] of Raffel, wherein Raffel discloses the cordless base station sends a network forwarding cancellation message to the cellular network when the mobile station severs the contact with the cordless base station as in the case of a manual cancellation or forced deregistration).

Regarding claim 40, Raffel discloses “The method according to Claim 35, wherein the step of rerouting is preceded by obtaining approval for the rerouting” (Paragraph [0070] of Raffel, wherein Raffel discloses the mobile station registering with

the regional cellular network).

7. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raffel et al. (US Patent Publication 2003/0069014 herein after referenced as Raffel) in view of Hjern et al. (US Patent 5873033 herein after referenced as Hjern) and further in view of Beyette et al. (US Patent Publication 2004/0235518 herein after referenced as Beyette).

Regarding claim 45, Raffel in view of Hjern discloses "The access device according to Claim 41, capable of determining proximity, to said non-mobile device, of the mobile device associated with said stored mobile telephone number" (Paragraph [0070] of Raffel, wherein Raffel discloses detecting when the mobile station moves out of range).

Raffel in view of Hjern fails to disclose "indirectly determining proximity".

In a related field of endeavor, Beyette discloses a hybrid telephone network utilizing wireless link and landline services. Beyette discloses "indirectly determining proximity" (Paragraph [0020] of Beyette, wherein Beyette discloses a cell phone coupled to a cell interface module(CIM) and connects to the wired telephone network, therefore if the cell phone is coupled to the CIM, the access point will know indirectly that the cell phone is within proximity).

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Raffel in view of Hjern to incorporate the teachings of Beyette. The motivation for the combination is to combine the features of wireless telephone

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service and landline telephones without incurring high subscription costs (Paragraph [0006] of Beyette).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Mapa whose telephone number is (571)270-5540. The examiner can normally be reached on MONDAY TO THURSDAY 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Mapa/

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Examiner, Art Unit 2617

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617